

[relates to Docket Item #62]

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MICHAEL FISCUS,

Plaintiff,

v.

COMBUS FINANCE AG, a Swiss Corporation, d/b/a COMBUS GmbH, d/b/a THE COMBUS GROUP; ROLF SCHNELLMANN; MULTIFORUM AG, a Swiss Corporation; ROLF HAENNI a/k/a ROLF HANNI

Defendants.

HON. JEROME B. SIMANDLE

Civil Action
No. 03-1328 (JBS)

ORDER

This matter having come before the Court on the motion [Docket Item 62] of defendant Schnellmann for summary judgment; Plaintiff having failed to oppose the defendant's motion after the Court invited Plaintiff to make submissions in opposition; the Court having considered the submissions of Schnellmann; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 20th day of **November, 2007** hereby ORDERED that defendant Schnellmann's motion for summary judgment, which the Court has considered as a motion to dismiss pursuant to Federal Rule of Civil Procedure Rule 12(b) (7), shall be, and hereby is, **GRANTED**.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
United States District Judge